

Statement

Between Pain and Agony: 12 Years of Chemical Weapons Crimes in Syria



Saturday 30 November 2024

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyzes in Syria. Having been formally approved at the 20th session of the Conference of the States Parties to the Chemical Weapons Convention (CWC), held in 2015, November 30 of every year is observed as the **Day of Remembrance for All Victims of Chemical Warfare**. This occasion is both a symbolic memorialization of the victims and recognition by the Organization for the Prohibition of Chemical Weapons (OPCW) of the continuing suffering of the survivors of chemical weapons attacks and of their right to effective support and advocacy. On this day, the state parties to the OPCW reaffirm their commitment to bringing about a world truly free of the threat of chemical weapons.

The OPCW commemorates this day in the course of the annual Conference of the State Parties (CSP-29), which will be held this year on November 25-29, 2024. Meanwhile, this year, marks 11 years since the Syrian regime has ratified the Convention, yet the perpetrators are still walking free, as the regime has repeated its crime of using chemical weapons hundreds of times, while tens of thousands of victims still await justice.

In the OPCW's annual meeting, Fernando Arias, OPCW's Director-General, told delegates that "despite more than a decade of intensive work, the Syrian Arab Republic chemical weapons dossier still cannot be closed." He further revealed that that the OPCW Secretary has reported as many as 26 outstanding issues since 2014 with respect to the Syrian regime's chemical weapons stockpile. Of these 26 outstanding issues, only seven have been addressed. **"The substance of the remaining 19 outstanding issues is of serious concern, as it involves large quantities of potentially undeclared or unverified chemical warfare agents and chemical munitions."** Mr. Arias stressed.

The world has borne witness to horrifying and repeated use of chemical weapons in the Syrian conflict by the Syrian regime that used these internationally prohibited weapons against unarmed and defenseless civilians.

Chemical weapons, by their very nature, do not distinguish between fighters and civilians. They wreak havoc on all those affected by them, but particularly on the most vulnerable group, such as children, women, and elderly people. In addition to causing deaths, these attacks inflict serious injuries, disfigurement, and burns, not to mention chronic disease that can stay with the survivors for as long as they live. In addition, they leave profound, long-term psychological scars and traumas.

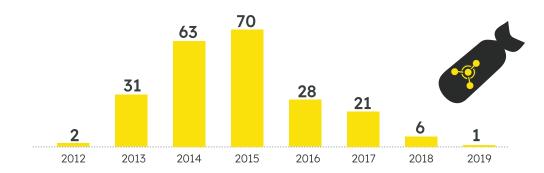
On this date every year, the Syrian Network for Human Rights (SNHR) sheds light on the massive casualty toll resulting from the use of chemical weapons in Syria, reminding the world that thousands of victims still await justice and accountability for those who devastated their lives.

222 Chemical Weapons Documented on SNHR's Database that Killed Roughly 1,500 Syrian Citizens, including 214 Children

SNHR has carried out extensive and wide-ranging work on the issue of chemical weapons use in Syria, releasing nearly 55 reports on the subject. SNHR has also signed a Principles of Cooperation Agreement with the OPCW's Investigation and Identification Team (IIT) and has been cited as a primary reference in all of the reports released by the IIT. We are also a member of the CWC Coalition.

Timeline

As of November 30, 2024, SNHR has documented 222 chemical attacks in Syria since the first documented use of this unlawful weapon on December 23, 2012. Ninety-eight percent of these attacks were carried out by Syrian regime forces, while the remaining two percent were carried out by ISIS. Chemical weapons attacks are distributed by year as follows:



Regional and casualty distribution

A. The Syrian regime has carried out **217 chemical weapons** attacks across Syria since the first chemical weapons attack we documented, which took place on December 23, 2012, up until November 30, 2024, killing **1,514 individuals**, divided between:

1,413 civilians, including 214 children and 262 women (adult female).

94 armed opposition fighters.

Seven regime soldiers who were being held captive in opposition prisons.

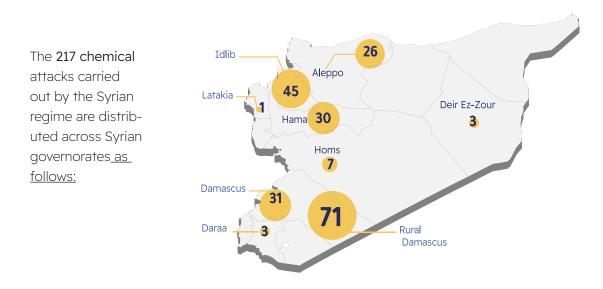
These attacks also injured **11,080 individuals**, including five regime soldiers who were being held captive in opposition prisons.

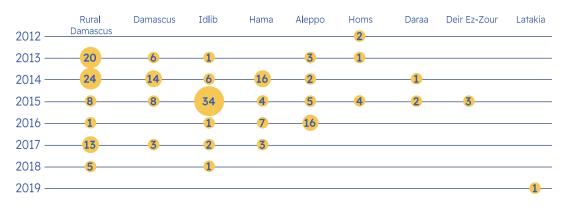
B. Five chemical weapons attacks were carried out by ISIS since the group was founded on April 9, 2013, up until November 30, 2024, all in Aleppo governorate. <u>The five are distributed by year as follows:</u>

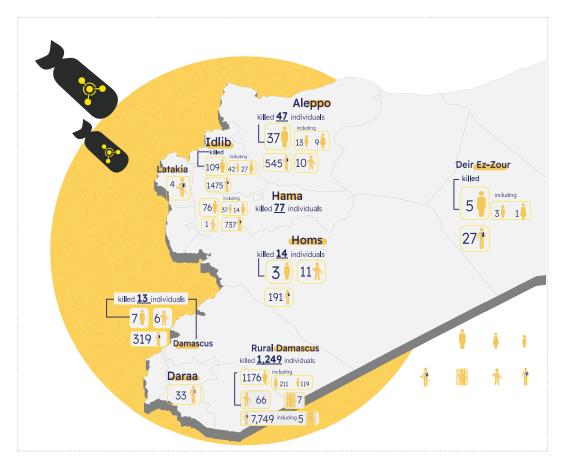
 2015: Two chemical weapons attacks.
 2016: Three chemical weapons attacks.
 3

 2
 2

 These attacks injured 132 individuals.
 2015







Distribution of chemical weapons attacks according to the UN Security Council resolutions addressing the use of chemical weapons in Syria

As SNHR's database attests, **222 chemical** weapons attacks have been carried out in Syria since December 23, 2012, up until November 30, 2024. These attacks are distributed according to the perpetrator party <u>as follows:</u>

A. The Syrian regime has carried out 217 chemical weapons attacks, divided according to Security Council resolution <u>as follows:</u>

- 1- Before Security Council Resolution 2118, issued on September 27, 2013: 33 attacks.
- 2- Since Security Council Resolution 2118, issued on September 27, 2013: 184 attacks.
- 3- Since Security Council Resolution 2209, issued on March 6, 2015: 115 attacks.
- 4- Since Security Council Resolution 2235, issued on August 7, 2015: 59 attacks.

B. ISIS has carried out five chemical weapons attacks, all of which were in Aleppo governorate, all of which constituted violations of Security Council resolutions 2118, 2209, and 2235.

THE SYRIAN REGIME'S CENTRAL POLICIES IN USING CHEMICAL WEAPONS

A task such as carrying out attacks involving the use of chemical weapons is one of great complexity that requires planning on a central level. The Syrian regime is a highly centralized apparatus. As such, those attacks could not have been carried out without knowledge and approval of regime head Bashar Assad. Using chemical weapons is a calculated policy for the Syrian regime based on an executive decision, in which the institutions of the military and intelligence are incriminated, in particular:

- The leaderships of the General Military Intelligence Directorate;
- The leadership of the Air Force Intelligence Directorate;
- The National Security Bureau; and
- The Syrian Scientific Studies and Research Center (especially Institute 1000 and Branch 450).

Our data shows that no fewer than 387 regime personnel, including high-ranking military officers, as well as security officials and civil and military workers, were involved in carrying out these attacks. We have included a list providing details of some of the individuals involved in the Syrian regime's use of chemical weapon in two previous reports, which we hope will be a precursor for exposing these individuals more widely and adding them to international sanction lists.

RAMIFICATIONS OF USING CHEMICAL WEAPONS ON THE VICTIMS AND SYRIAN SOCIETY

The use of chemical weapons has devastating ramifications on the injured, both in the short and long term.

- **Health**: Use of these weapons results in serious bodily injuries, including burns, disfigurement, and permanent disabilities. They also cause chronic respiratory, digestive, and nervous conditions, as well as affecting the immunity system. This means that those exposed to chemical weapons become vulnerable to serious and chronic complications and diseases.
- **Psychological:** Beyond the physical suffering, these attacks have left profound psychological scars. To this day, many survivors still suffer from various forms of post-traumatic disorder (PTSD), including insomnia, recurring nightmares, anxiety episodes, and depressions. Children, in particular, are the most vulnerable to these traumas, since using chemical weapons has cross-generational effects.
- **Social and Societal:** These attacks devastate the fabric of society and the economy, in addition to having political consequences that deepen divisions and increase instability.

INTERNATIONAL INVESTIGATIONS AND REPORTS PROVING THE IMPLICATION OF THE SYRIAN REGIME

As confirmed by **SNHR's** database that corresponds with the findings of the three exhaustive reports released by the **OPCW's IIT** (the first of which was released on April 8, 2020, the second on April 12, 2021, and the third and most recent on January 27, 2023), it can be conclusively stated that the Syrian regime is responsible for the five chemical weapons attacks analyzed therein. These findings are also supported by OPCW Executive Council's reports on 'Progress in the Elimination of the Syrian Chemical Weapons Programme,' <u>the</u> most recent of which, released on October 25, 2024, which stated that:

- "The Secretariat assesses that the declaration submitted by the Syrian Arab Republic still cannot be considered accurate and complete in accordance with the Convention."
- The report also identifies "gaps, inconsistencies, and discrepancies that remain unresolved,", meaning that the regime may have not disclosed all of its chemical weapons stockpile, or have revealed all of the facilities used to produce these weapons.
- The report expresses serious concerns about the regime potentially designating new facilities for producing chemical weapons or rebuilding those that have been destroyed, which raises the risk of these weapons being against the Syrian people again in the future.

RECOMMENDATIONS

Based on all the above facts, and specifically the reports by the <u>OPCW-UN JIM</u>, the reports by the **OPCW's IIT**, the reports by the <u>Independent International Commission of Inquiry on the Syrian Arab Republic (COI)</u>, the reports by <u>Human Rights</u> <u>Watch (HRW)</u>, and the reports by <u>SNHR</u>, all of which conclusively prove the repeated use of chemical weapons by the Syrian regime, SNHR calls on the international community to:

1. Give the Syrian case urgent priority in the upcoming OPCW's 29th Session of the Conference of the States Parties (CSP-29)

- Prioritize the Syrian case at the upcoming CSP-29
- Call on the state parties to take collective measures in line with international law under Paragraph 3 of Article XII of the CWC.
- Bring the case to the UN General Assembly and the UN Security Council in accordance with Paragraph 4 of Article XII of the CWC.

2. Refer the Syrian case to the Security Council

• Call on the Security Council to intervene under Chapter VII of the Charter of the United Nations since the use of weapons of mass destruction poses a serious threat to international peace and security.

3. Conduct a challenge site inspection under Article IX of the CWC

- OPCW state parties must call for a site inspection in Syrian territory for the purpose of investigating potential breaches of the CWC.
- Invoke the right enshrined Paragraph 12(a) of Article IX to send a representative to observe the conduct of the challenge inspection.
- Stress that a challenge inspection must be conducted in a speedy manner with no delay.

4. Establish a special international tribunal

- Hold all those involved in war crimes and crimes against humanity against the Syrian people accountable.
- Establish a special international tribunal, since referring the case in Syria to the International Criminal Court (ICC) seems impossible in light of the Russian veto.

5. Take action before the International Court of Justice (ICJ)

- Take legal action to address the Syrian regime's breaches of the CWC.
- Emulate the case brought by Canada and the Netherlands against Syria before the ICJ on the application of the UN Convention Against Torture.



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No justice without accountability

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